

Mr. W. H. Field.

FOXTON HARBOUR BOARD ACT 1908 AMENDMENT.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to amend the Constitution of the Foxton Harbour Board, and to confer certain Powers upon the said Board to borrow Moneys to establish a Rating District and to acquire certain Properties now vested in His Majesty the King.

Title.

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BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Foxton Harbour Board Act 1908 Amendment Act, 1917.

Short Title.

2. In this Act, if not inconsistent with the context,—  
 “ Harbour ” means the harbour of Foxton :  
 “ Board ” means the Foxton Harbour Board constituted by the

Interpretation.

15 “ The Act ” means the Harbours Act, 1908, and its amendments :

“ Harbour-works ” means and includes the works referred to in section two of the Harbours Amendment Act, 1910, in addition to the special works hereby authorized :

20 “ The district ” means the Foxton Harbour District as herein constituted.

3. This Act shall be deemed to be a special Act within the meaning of the Act.

Special Act.

25 4. The Foxton Harbour District is hereby constituted for the purpose of this Act, and such district shall comprise the area described in the *First* Schedule hereto.

District constituted.

5. In case the boundaries of any of the counties or boroughs referred to in the *First* Schedule hereto shall at any time be altered so

Extension of area.

as to include a greater area than is included within the boundaries of the said counties or boroughs at the time of the passing of this Act, then the area of the district shall be deemed to be extended so as to include such added area or areas to the said counties or boroughs on such alteration to the said counties' or boroughs' boundaries. 5

Additional member  
of Board.

6. In addition to the existing seven members of the Board one additional member shall be elected by the electors of Kairanga County.

Mode of  
appointment.

7. Such additional member shall be elected on the day appointed for the next election of the elective members of the Board. Pending 10 such election an additional member shall be appointed by the Chairman and Councillors of the Kairanga County, who shall hold office until such election.

Power for His  
Majesty the King to  
sell and Board to  
acquire lands and  
assets.

8. His Majesty the King may transfer and the Board may acquire the lands and assets described in the *Second* Schedule hereto 15 upon payment by the Board of the sum of five thousand pounds, and upon payment of the said sum the said lands and assets shall by force of this Act vest in the Board for the purposes for which it is constituted.

Power to construct  
works.

9. It shall be lawful for the Board, subject to the provisions of 20 the Act, to construct such harbour-works as the Board considers necessary for the requirements of the harbour and the navigable waters of the Manawatu River from the Wirikino Bridge, above the Railway Department's wharf at Foxton, to the seaward limits of the harbour, and also to purchase, erect, construct, maintain, repair, or 25 alter all such tugs and dredges as may be deemed necessary or proper by the Board, and also to erect and construct all such cranes, sheds, wharves, training-walls, and works for the improvement of the said harbour and navigable waters as are judged necessary by the Board for the safety, convenience, or reception of vessels resorting 30 thereto and for the more convenient loading and unloading of such vessels, or for the safety and protection of any works constructed or proposed to be constructed by the Board, and for providing proper access to and from such works.

Power to borrow.

10. (1.) The Board may from time to time borrow, subject to 35 the provisions of the Act and this Act, any sum or sums not exceeding in all *sixteen* thousand pounds for all or any of the purposes set out in the *Third* Schedule hereto, and the first year's interest and sinking fund on the said amount.

(2.) No money shall be borrowed under the authority of this Act 40 which shall produce to the lender a higher rate of interest than five and one-half per centum.

Consent of  
ratepayers.

11. (1.) The Board shall not borrow any money under the authority of this Act or any subsequent Act, other than a repayment loan, except with the consent of the ratepayers of the district, ascer- 45 tained in manner prescribed by the Local Bodies' Loans Act, 1913, as modified by this Act.

(2.) All the provisions of Part I of that Act shall, save as by this Act expressly or impliedly modified, extend and apply to the loan hereby authorized; and the district shall be deemed to be a 50 district and the Board shall be deemed to be a local authority for the purposes of that Act.

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(3.) For the purposes of this section the Valuer-General shall, whenever requested by the Chairman of the Board so to do, prepare from the district valuation rolls in force under the Valuation of Land Act, 1908, at the date of such request in any borough, town district, or county, or any part thereof, comprised in the Foxton District, a special roll setting forth the names of all persons whose names appear in the ratepayers' column of such district valuation rolls respectively in respect of any lands situated in the Foxton District. Such special roll shall be signed by the Chairman or two members of the Board, and when so signed shall be the roll upon which the poll shall be taken.

(4.) Every person whose name appears on such special roll shall be entitled to one vote only.

(5.) If the total number of valid votes recorded in favour of the proposal is a majority of the total number of valid votes recorded at any poll the proposal shall be deemed to be carried.

12. The maximum rate that the Board shall be entitled to levy upon the several areas comprising the district for the purpose of providing for the repayment of the said sum of sixteen thousand pounds and interest, and the repayment of any subsequent loan or loans hereafter authorized and interest thereon, shall be the fractional part of a penny in the pound sterling set opposite its respective name in the *Fourth* Schedule hereto.

Maximum differential rate.

13. In the event of the Board levying a rate less than the maximum rate the rates in the respective areas forming the Foxton District shall be levied in the same proportion as the maximum rate of each area respectively bears to one penny in the pound sterling.

Proportion of rate if less than maximum.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

THE area of land at present comprising the Manawatu County, Kairanga County, Palmerston North Borough, Feilding Borough, Levin Borough, and Foxton Borough.

SECOND SCHEDULE.

ALL that area of land bordered red and bounded as follows: On the west partly by the outer edge of the wharf-kerbing and partly by the western boundary of the land taken for railway purposes by a Proclamation published in the *New Zealand Gazette* No. 70 of the 26th August, 1909; on the north by the northern boundary of the land so taken as aforesaid; on the east partly by the eastern boundary of the land taken by Proclamation aforesaid, partly by a right line, and partly by a line east of and 5 ft. distant from the inner edge of the wharf-decking; on the south by the southernmost end of the wharf: as the same is more particularly delineated on the plan marked C.E.W.R. 24689, in the office of the Minister of Railways, at Wellington: subject as to part of the said land to leases Nos. 5834 and 5835.

## THIRD SCHEDULE.

THE payment of the sum mentioned in section 8, the construction and purchase of a dredge, and the construction and performance of the works or any of them authorized by section 9.

## FOURTH SCHEDULE.

Local Authority.			Differential Rate.
Manawatu County	...	...	One-eighth.
Kairanga County	...	...	One twenty-fourth.
Palmerston North Borough	...	...	One-tenth.
Feilding Borough	...	...	One-twentieth.
Levin Borough...	...	...	One-twelfth.
Foxton Borough	...	...	Seven-eighths.

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